

### REMARKS

This amendment addresses matters as to form raised by the final office action.

In claims 28-32, and 58 the term "mean" has been deleted from the claims. Support for this amendment can be found at page 77 lines 1 to 3.

Claim 33 has been canceled. No new matter has been added and no additional claim fee is due. Claims 28-32, 34-37, 40-44, 47-49 and 58-60 are pending in the application after the amendment.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

### Objection Under 37 C.F.R. §1.71

The Examiner has objected to the specification under 37 C.F.R. §1.71 as failing to provide adequate support for the terms "mean Waste Contamination Area" and "mean Waste Contamination Mass". The present application at page 76, line 10 to page 77, line 7 clearly describes how to calculate the values for Waste Contamination Area and Waste Contamination Mass. Specifically,  $mArArea$  and  $(mArArea \times mArGV)/255$  values for one of the at least six skin assemblies described therein are calculated as shown in the table on page 77. Repeating this calculation for the available number of assemblies results in at least six values for  $mArArea$  and  $(mArArea \times mArGV)/255$  (i.e. one pair of values for each assembly). As is clear from page 76, line 15, if more than six assemblies are analyzed, there will be one pair of values for each pair that is analyzed. The Waste Contamination Area and Waste Contamination Mass are then calculated by averaging the respective individual values as described at page 77 lines 1-3. Applicants respectfully request that this objection be withdrawn as it is now moot. Applicants have amended the claims to remove all occurrences of the term "mean" which, as a consequence, removes the reason for the Examiners objection.

In light of the foregoing remarks, it is requested that the objection under 37 C.F.R. §1.71 be reconsidered and withdrawn.

Rejection Under 35 U.S.C. §112

Rejection under 35 U.S.C. 112 First paragraph:

The Examiner has rejected Claims 28-37, 40-44, 47-49 and 58-60 under 35 U.S.C. §112 as failing to provide enablement for the terms "mean Waste Contamination Area" and "mean Waste Contamination Mass". Applicants respectfully request that this rejection be withdrawn as it is now moot. Applicants have amended the claims to remove all occurrences of the term "mean". The claims have been amended to read "Waste Contamination Area" and "Waste Contamination Mass", both of which are already defined in the specification. See Page 77, lines 1-3. Consequently, in light of the foregoing remarks, it is requested that the rejection under 35 U.S.C. §112 be reconsidered and withdrawn.

Rejection under 35 U.S.C. 112 Second paragraph:

The Examiner has rejected Claims 28-37, 40-44, 47-49 and 58-60 under 35 U.S.C. §112 for being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regards the invention. Specifically, the Examiner has identified the term "mean Waste Contamination Mass" as indefinite. Applicants respectfully request that this rejection be withdrawn as it is now moot. Applicants have amended the claims to remove all occurrences of the term "mean". The claims have been amended to read "Waste Contamination Area" and "Waste Contamination Mass", both of which are already defined in the specification. See Page 77, lines 1-5. Consequently, in light of the foregoing remarks, it is requested that the rejection under 35 U.S.C. §112 be reconsidered and withdrawn.

CONCLUSION

In light of the amendments and remarks presented herein, Applicants respectfully submit that Claims 28-32, 34-37, 40-44, 47-49 and 58-60 are allowable over the prior art of record or any combination thereof. All of the Examiner's rejections and objections have been addressed. The proposed amendments to the

specification and claims do not add new matter and are made merely to help the Examiner understand what would be readily apparent to one of ordinary skill in the art. In the event that any issues remain prior to allowance of the noted claims, then the Examiner is invited to call Applicant's undersigned agent to discuss them.

Respectfully submitted,

For: DONALD C. ROE ET AL.

By Ian Robinson  
Ian S. Robinson  
Attorney for Applicant(s)  
Registration No. 43,348  
(513) 626-3356

September 5, 2001  
Sharon Woods Technical Center  
11450 Grooms Road  
Cincinnati, OH 45242



## VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Please amend the claims as follows:

28. (Twice Amended) A disposable article adapted to be worn by a wearer comprising:
- one or more compositions for enhancing the removability of fecal waste from the skin of the wearer, said one or more compositions being available to at least a portion of one of said fecal waste and said skin of said wearer; wherein said one or more compositions provide one or more of the following as determined by the test methods set forth in the specification:
- a) a [mean] Waste Contamination Area of less than about 15 cm<sup>2</sup>;
- b) a [mean] Waste Contamination Mass calculated from an equation  $\sum_{L0}^{Ln}$  (mArArea X mARGV)/255 of less than about 14 mass units.
29. (Twice Amended) The disposable article of Claim 28 wherein said one or more compositions provide a [mean] Waste Contamination Area of less than about 12 cm<sup>2</sup>.
30. (Twice Amended) The disposable article of Claim 29 wherein said one or more compositions provide a [mean] Waste Contamination Area of less than about 10 cm<sup>2</sup>.
31. (Twice Amended) The disposable article of Claim 29 wherein said one or more compositions provide a [mean] Waste Contamination Mass calculated from the equation  $\sum_{L0}^{Ln}$  (mArArea X mArGV)/255 of less than about 10 mass units.

RECEIVED  
SEP 11 2001  
TC 3700 MAIL ROOM

32. (Twice Amended) The disposable article of Claim 31 wherein said one or more compositions provide a [mean] Waste Contamination Mass calculated from the equation  $\sum_{L0}^{Ln} (mArArea \times mArGV)/255$  of less than about 8 mass units.

Please cancel Claim 33.

58. (Twice Amended) A method of enhancing the removability of bodily waste from the skin of a wearer of a disposable article, the method comprising:  
 providing a disposable article adapted to be worn by the wearer;  
 associating one or more compositions for enhancing the removability of fecal waste from the skin of the wearer with said disposable article so that said one or more compositions are available to at least a portion of one of said bodily waste and said skin of said wearer;  
 said one or more compositions providing one or more of the following as determined by the test methods set forth in the specification:  
 a) a [mean] Waste Contamination Area of less than about 15 cm<sup>2</sup>;  
 b) a [mean] Waste Contamination Mass calculated from the equation  $\sum_{L0}^{Ln} (mArArea \times mArGV)/255$  of less than about 14 mass unit.